

REMARKS

Applicant initially would like to thank the Examiner for the recognition of allowable subject matter as set forth in claims 45-55, as well as the recognition that claims 57, 58 and claims 61-64 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the June 17, 2004 Office Action, the Examiner rejected claims 39-44, 56, 59 and 60, objected to claims 57, 58 and 61-64, and allowed claims 45-55. There has been no amendment to the claims. As a result, claims 39-64 remain pending in the application. In view of the foregoing remarks, reconsideration of the application is respectfully requested.

Claim Rejections

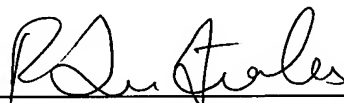
Claims 39-44, 56, 59 and 60 stand rejected under judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 18-22 of U.S. Patent No. 6,707,722 ('722 patent). While Applicant respectfully disagrees with these double patenting rejections, in the interest of compact prosecution, Applicant respectfully submits a terminal disclaimer, without prejudice, in compliance with 37 CFR 1.321(c) in that the nonstatutory double patenting rejections are based on the '722 patent which is commonly owned with the present patent application by Assignee Micron Technology, Inc.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the issuance of a notice of allowance for pending claims. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, then the Examiner is invited to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

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